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Attorney Docket No.: 20712-503 NATL

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS:

HANGAUER, *et al.*

APPLICATION NO.:

10/501,855

FILING DATE:

July 16, 2004

INTERNATIONAL APPLICATION NO.:

PCT/US2003/001845

EXAMINER: Not yet assigned

INTERNATIONAL FILING DATE:

January 21, 2003

ART UNIT: Not yet assigned

FOR: TREATMENT OF SLEEP DISORDERS USING SLEEP TARGET MODULATORS

Mail Stop Amendment

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

TRANSMITTAL LETTER

Transmitted herewith for filing in the present application are the following documents:

1. Information Disclosure Statement (2 pages), in duplicate;
2. Modified Form 1449/PTO (1 page), in duplicate; and
3. Return Postcard.

If the enclosed papers are considered incomplete, the Mail Room and/or the Application Branch is respectfully requested to contact the undersigned at (617) 542-6000, Boston, Massachusetts.

The Commissioner is authorized to charge any fees that may be due, or to credit any overpayment, to the undersigned's account, Deposit Account No. 50-0311 Ref. No. 20712-503. A duplicate copy of this transmittal letter is enclosed herewith.

Respectfully submitted,

Ivor R. Elrifi, Reg. No. 39,529
Heidi A. Erlacher, Reg. No. 45,409
Attorney(s) for Applicants
MINTZ, LEVIN, COHN, FERRIS,
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Dated: March 10, 2005

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Attorney Docket No.: 20712-503 NATL #3

MAR 10 2005

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INFORMATION DISCLOSURE STATEMENT

Pursuant to the duty of disclosure under 37 C.F.R. §§1.56, 1.97 and 1.98, Applicants hereby make of record the documents listed on the attached modified Form PTO-1449.

This Information Disclosure Statement is being filed before the mailing date of a first Office Action based on the merits in the above-identified case. Accordingly, no fee or certification is believed required. Copies of the references are not provided as they were previously cited or submitted to the USPTO in prior applications, Serial No. 10/349,164, filed January 21, 2003 and relied upon for an earlier filing date under 35 U.S.C. §120 (continuation, continuation-in-part, and divisional applications).

It is respectfully requested that the Examiner consider completely the cited information, along with any other information, in reaching a determination concerning the patentability of the present claims, and sign the enclosed form PTO-1449 to evidence that the cited information has been fully considered by the Patent and Trademark Office during the examination of this application.

By submitting this Information Disclosure Statement, the Applicants make no representation that: (1) a search has been performed, of the extent of any search performed, or that more relevant information does not exist; (2) the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b); and (3) the

APPLICANTS:
U.S.S.N.:

Hangauer
10/501,855

information cited in the Statement is, or is considered to be, in fact, prior art as defined by 35 U.S.C. §102.

Notwithstanding any statements by the Applicants, the Examiner is urged to form his/her own conclusion regarding the relevance of the cited information. An early and favorable action is hereby requested.

Please charge any fees that may be due, or credit any overpayment of same, to Deposit Account No. 50-0311, Reference No. 20712-503 NATL.

Respectfully submitted,



Ivor R. Elrifi, Reg. No. 39,529
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Attorney Docket No.: 20712-503 NATL

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Modified Form 1449/PTO		Application Number	10/501,855
INFORMATION DISCLOSURE		Filing Date	July 16, 2004
STATEMENT BY APPLICANT		First Named Inventor	Hangauer
(use as many sheets as necessary)		Group Art Unit	Not Yet Assigned
		Examiner Name	Not Yet Assigned
		Attorney Docket Number	20712-503 NATL

U.S. PATENT DOCUMENTS

Exam Initials	Cite No.	U.S. Patent Document No.	Issue Date	Name of Patentee(s) or Applicant(s)	Class	Sub Class	Filing Date If Appropriate
	*A1	5,116,852	05/26/92	Gammans	514	359	

U.S. PUBLISHED APPLICATION DOCUMENTS

Exam Initials	Cite No.	U.S. Published Application No.	Published Date	Name of Patentee(s) or Applicant(s)	Class	Sub Class	Filing Date If Appropriate

FOREIGN PATENT DOCUMENTS

Exam Initials	Cite No.	Foreign Patent Document Office Number	Name of Patentee(s) or Applicant(s)	Date of Publication	Translation Yes No

OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS

Exam Initials	Cite No.	Name of Author, Title (when appropriate), Publication, Volume, Page(s), Date, Etc.
	*C2	Giannangeli, et al., <i>J. Med. Chem.</i> , 42(3):336-345 (1999).
	*C3	Le Bihan, et al., <i>J. Med. Chem.</i> , 42(9):1587-1603 (1999).
	*C4	Lis, et al., <i>Synthetic Comm.</i> , 18(1):45-50 (1988).
	*C5	Motherwell, et al., in <i>Contemporary Organic Synthesis</i> , The Royal Society of Chemistry, pgs. 219-241 (1994).
	*C6	Phillips, et al., <i>J. Med. Chem.</i> , 35(4):743-750 (1992).
	*C7	Simmons, et al., in <i>Organic Reactions</i> , John Wiley & Sons, Inc., 20:1-131 (1973).
	*C8	Stoller, et al., <i>Tetrahedron Lett.</i> , 31(3):361-364 (1990).
	*C9	Woodworth, et al., <i>Chem. Comm.</i> , 10:569-570 (1968).
	*C10	International Search Report for PCT/US03/01845, mailing date: January 14, 2004.

* A copy of this reference is not provided as it was previously cited by or submitted to the office in a prior application, Serial No. 10/349,164, filed January 21, 2003, and relied upon for an earlier filing date under 35 U.S.C. §120 (continuation, continuation-in-part, and divisional applications).

Examiner Signature		Date Considered	
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

TRA 2014847v1

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